

# The Problem of Fake News

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**Abstract:** Looking at the recent spate of claims about “fake news” which appear to be a new feature of political discourse, I argue that fake news presents an interesting problem in epistemology. The phenomena of fake news trades upon tolerating a certain indifference towards truth, which is sometimes expressed insincerely by political actors. This indifference and insincerity, I argue, has been allowed to flourish due to the way in which we have set the terms of the “public” epistemology that maintains what is considered “rational” public discourse. I argue one potential salve to the problem of fake news is to challenge this public epistemology by injecting a certain ethical consideration back into the discourse.

**Key words:** fake news, social epistemology, polite society.

You would think – from the outcry and hullabaloo – that fake news, alternative “facts” and disinformation are becoming more and more prevalent in public discourse. Now, it may well be – in that we are certainly very alert to, or aware of its presence and use – especially now that certain populist, anti-intellectual politicians are on the rise. But what is troubling about fake news – if such a thing can be measured – is its centrality in certain political campaigns and regimes. Yet whether or not we happen to be concerned about populist politicians, SJWs (social justice warriors), or “virtue signaling”, the phenomenon that is fake news is not new. After all, fake news, alternative facts and misinformation were part of the story certain Western powers tried to sell about weapons of mass destruction in Iraq, the basis and need for a Cold War, and the like. What might be new is the centrality of claims “That’s just fake news!” in our political discourse.

So, what makes “fake news” *fake* news? What threat does fake news present to our polities? What are the epistemic and ethical concerns that occur when someone alleges some piece of news is fake? In section I a definition of fake news will be presented. I will then argue, in section II, that the power of claims of “Fake news!” come out of our understanding of what we typically think the “news” represents. Using *the Illustrated Police News* and the *Journal of American Physicians and Surgeons* as examples, I argue that there is a salient difference between sensationalised, sometimes fictitious “news” and “fake news”, one which trades upon the difference between claims being insincere, and agents being indifferent about the truth of their utterances. I then, in section III, discuss the problem of balanced reporting, looking specifically at the way in which subjects which are controversial in one sense get reported as controversial in some other. Then, by looking at how, in section IV, the U.S. and the U.K. downplayed objections to the claim Iraq was developing weapons of mass destruction back in 2003, I posit that the threat that is accusations of “That’s just fake news!” comes out of worries that it is a merely a rhetorical device used by the powerful to crush dissent. I then posit, in section V, that a partial salve

to this worry is to challenge the standard of acceptable public discourse in most Western-style democracies by re-injecting a little ethics back into our *public* epistemology.

### I. WHAT IS “FAKE NEWS”?

So, what is fake news? Well, fake news is an allegation that some story is misleading – it contains significant omissions – or even false – it is a lie – designed to deceive its intended audience.

That is, fake news is a *purported* fact. Such *purported* facts are either entirely false (and thus not facts at all) or they are only *partial* truths; the *purported* fact lacks some context or additional piece of information which, when revealed, undermines either its truth-value, or saliency to some broader claim.

This raises the question: is fake news simply disinformation relabeled? Disinformation is, after all, the introduction and use of *fabricated* information in order to make some otherwise suspicious explanation or theory look warranted.<sup>1</sup> The term was coined in the late 1930s by agents of the U.S.S.R., as a way of challenging the findings of the *Commission of Inquiry into the Charges Made against Leon Trotsky in the Moscow Trials* (AKA the Dewey Commission). A more modern example of the form is arguably the “Dodgy Dossier,” which *allegedly* justified the invasion of Iraq in 2003, but turned out to have been doctored by political operators in the U.K.

Disinformation is *fabricated* or *purported* (because in some cases it is alluded to, but not presented to the public) information which is said to warrant some conclusion which also just happens to discredit some rival hypothesis. That is, it is often news which is fake.

However, the rhetorical frame “That’s just fake news!” can be ambiguous. That is, it goes beyond simply being disinformation. Sometimes the claim is, after all, sincere – what has been reported really is news which is fake – whilst other times the issue is that such a claim is being used as a baseless dismissal of stories, or of media outlets. For example, the allegation certain stories were “fake news” was co-opted by 45th President of the United States of America, Mr. Donald J. Trump during his run in the Republican Primaries in 2016, and has largely become a right-wing rhetorical device ever since.<sup>2</sup>

The claim “That’s just fake news!” is also sometimes associated with a grander claim about the “fake media,” such as Trump’s tweet that:

The Fake Media (not Real Media) has gotten even worse since the election. Every story is badly slanted. We have to hold them to the truth! (Trump 2017b)

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1] For a fuller discussion of the definition of disinformation, see Matthew R. X. Dentith’s “The Philosophy of Conspiracy Theories” (2014, 128-29).

2] Historically, the claim “That’s just fake news!” was largely a left-wing broadside against certain knowingly partisan right wing news outlets, such as Fox News, and Infowars, which were peddling news stories which were, if not outright fabrications, reported in such a way to overstate their case.

Now, if we take the allegation of something being fake news, or fake media seriously, then – if we assume one side of the debate is correct – then someone is misleading the public. So, is the allegation of “That’s just fake news!” just the exposure of a lie? Not quite; the allegation something is fake news is a *rhetorical device*, one designed to cast doubt on what would otherwise be some received story. That is, currently allegations of fake news, or fake media, focus on challenging mainstream media discourses.<sup>3</sup>

For example, at least according to the president and his aides, claims that the crowds at President Trump’s inauguration were smaller than those of his predecessor Barack Obama was a clear-cut case of the media deliberately deceiving the public (David 2017). Similarly, claims that operatives within the Russian Federation hacked the Democratic National Committee, and leaked information which helped the Trump campaign, were labelled as “fake news” by the Trump administration (Trump 2017a).

## II. “REAL” NEWS

What makes *fake* news so galling is our expectation that the news (what we might call the “*real* news” here) should be, if not factual, the most plausible and justified account of some event. While we typically accept *breaking* news might be subject to revision, and some events might even be misreported, we expect that those who investigate and report the news to *sincerely* be doing their best to get the story straight, and to report accurately their findings.

Media – the Fourth Estate – is often thought of as having an ethical duty to present to the public the facts. Allegations of fake news, then, cut into this account by suggesting either news reporters are being insincere – and reporting falsehoods as purported facts – or that they are indifferent to rival accounts of events, and simply reporting things according to some agenda.

Now, the ethical duty of the Fourth Estate is a curious one, because it might be a case of the public (the Third Estate) expecting of journalists a duty that members of the Fourth Estate themselves do not necessarily subscribe to.

For example, media coverage of supposedly contentious issues (particularly in the U.S., it seems) have turned out to be, for decades, highly partisan. Topics like anthropogenic climate change, the link between smoking and lung cancer, and the like, have all been examples of debates where one side (usually a particular media network) presents news which is contrary to some other side (typically another media network).<sup>4</sup> In this respect, the expectation that the news is an attempt at an *unbiased* reporting of the facts (or the most justified beliefs of the reporters) might seem naive to the sociologist, media

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3] In this way, the history of claims of fake news are not very helpful to us, because the term was initially used to label alternative or non-mainstream news sites as fake. However, now the term is largely used to do the opposite; CNN is fake media. Breitbart and Infowars are “real” media.

4] We will leave to one side at this juncture the media vs. experts.

studies scholar, or social epistemologist. Given the disagreement amongst media outlets on certain issues, if journalists, and the like have a duty to the public, it is not clear that journalists and their contemporaries necessarily see that duty as being one of purveying facts. Rather, they might well see themselves as purveyors of opinion, with some news outlets claiming their opinions are more or less justified than those of some other.

As such, the idea that the news is unbiased, or apolitical, is a curious one; even the most casual or cursory examination of the media landscape shows that news outlets are not objective purveyors of truths, but, rather, subject to viewpoints and agendas. Now, like historians, journalists and their ilk, they may try to temper such inclinations or limitations in their reporting, but the idea of journalistic integrity meaning journalists are not subject to ideologies, politics, et cetera, seems odd at face value.

The idea the news is some attempt at the objective truth – that it is a factual endeavour – might also be a rather modern, and possibly fleeting, invention. History as a source-based, “as it happened,” discipline was arguably the invention of Leopold von Ranke in the 19th Century. As such, the facts-based approach to history we saw in the last two hundred years may well be an anomaly. Ancient historians, for example, were well aware that their discipline was considered a particular branch of fiction, where it was permissible, even normal, to invent details in order to fill out, or improve the historical narrative. Newspapers, up until the early 20th Century, often reported fake news alongside real news, often with little to distinguish the two types of story (if, indeed, there was a real distinction to be made).

This is to say that perhaps the problem is not fake news *per se* but, rather, that we might have lived through a period of *real*, AKA objective, *factual* news, which was the real (historical) anomaly.

### 1. Old News

Take, for example, *The Illustrated Police News*, published between 1864 and 1938 in the U.K. A tabloid publication, *The Illustrated Police News* contained sensational and sensationalised news stories about crimes both historic and contemporary. Not everything *The Illustrated Police News* published was true; some of the stories within its pages were edited for dramatic effect, whilst some others were (probably) entirely fictional. *The Illustrated Police News* contained and peddled some stories that we would consider now to be fake, in order to please an eager public who wanted “penny dreadful” tales which, plausibly, took place in the world in which they lived.

Fast forward to the present day, and you have the *Journal of American Physicians and Surgeons*, a publication of the Association of American Physicians and Surgeons. The Association of American Physicians and Surgeons was founded in 1943 as a non-profit association. On the face of it both the Association of American Physicians and Surgeons, and the *Journal of American Physicians and Surgeons* sound perfectly normal. However, the Association of American Physicians and Surgeons was founded to specifically fight back

against “socialised medicine” in the U.S., and combat a purported takeover of medical practice by the government. The *Journal of American Physicians and Surgeons* has – over its long tenure – published a raft of articles on what are considered *discredited* medical hypotheses. These include papers arguing that the HIV virus does not cause AIDS, the link between vaccines and autism link, and abortions being a significant causal factor in the development of breast cancer. However, these papers are neither well-researched, nor well-evidenced, and thus do not survive peer review outside of the gated community which subscribes to the *Journal of American Physicians and Surgeons*.

Examples of publications like *The Illustrated Police News*, and the *Journal of American Physicians and Surgeons* are not hard to find. Indeed, as *The Illustrated Police News* shows, publishers of *purported* facts have been part of our media landscape for a long time. Yet *the Illustrated Police News* and its sensationalised stories was a kind of open secret; the writers of that periodical were not covertly making up stories. Rather, they expected that their readers would be aware of the sensationalised nature of the stories within its pages. However, the pieces published in the *Journal of American Physicians and Surgeons* are meant to be taken seriously.

## 2. A Salient Difference

The salient difference between the *Illustrated Police News* and the *Journal of American Physicians and Surgeons* is surely one of intent. The editors and readers of the *Illustrated Police News* knew that the content of the gazette was sensationalised; the entire point of the publication was to titillate and entertain. However, the *Journal of American Physicians and Surgeons* does not present its “findings” (such as they are) as entertainment, but, rather, as *purported* facts, ones which challenge findings elsewhere in the medical sciences.

What should we make of this? It is tempting to think that perhaps this is an example of what Richard Feldman has described as “reasonable disagreement.” Feldman considers whether it is possible for “epistemic peers” – epistemic agents roughly equal with respect to intelligence, reasoning ability, and privy to the same background information – to *reasonably* disagree with one another (2006; 2011).

Reasonable disagreement differs from standard disagreement with respect to the way in which the disagreement is managed. When two or more people *reasonably* disagree with one another, they effectively *agree to disagree*, rather than continue to try and persuade the other party to switch positions. Using examples from the Philosophy of Religion, Feldman argues that atheist and theist philosophers seem able to agree to disagree as to whether the gods exist. This, he notes, should strike us as odd. In part this is because it is just a fact of the world as to whether the gods exist, and also because philosophers of religion, by-and-large, share the same kind of training and background knowledge – they are epistemic peers, after all – and so you should expect there to be reasonable agreement on the matter, not reasonable *disagreement*.<sup>5</sup>

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[5] There could, of course, be unreasonable disagreement on the issue, if one party or the other de-

One explanation for this seemingly reasonable disagreement is to claim that some epistemic peers have access to a special kind of evidence – private evidence – which cannot be shared with some other epistemic peer (Feldman 2006, 222-3). When epistemic peers cannot share, disclose, or make public all the evidence for their views, they cannot enter into a state of full disclosure (where peers will express all *salient* reasons for their beliefs on a certain topic) and thus can then argue over the *relevance* of their evidence (2006, 220). If the peers still disagree with one another when under full disclosure, then either the disagreement must be unreasonable – because one peer is sticking to their point of view *in spite of the evidence* – or they are not epistemic peers at all.

Now, part of the problem here is that working out who epistemic peers are – in many cases – is tricky, and the problem comes in two forms. The first is that it can be difficult for highly educated people to work out whether they are epistemic peers with other similarly educated folk. The second issue is that if it is hard for epistemic peers to recognise one another, this difficulty is compounded when we ask lay members of the public to both recognise and trust in the work of such peers. Indeed, we see this in public debates about the existence of the gods, which are often *unreasonable*, in that we see supposed epistemic peers square off against each other, and *disagree to disagree*. In at least some of these such cases, the peer relationship is not epistemic peer versus epistemic peer. Rather, two or more prominent individuals from each camp, who are not roughly equal with respect to intelligence, reasoning ability, and privy to the same background information, are mistakenly or falsely portrayed as being peers in an epistemic sense.

With respect to the *Journal of American Physicians and Surgeons*, is this a case of reasonable disagreement when it comes to the medical sciences? Do the authors and editors reasonably disagree with their peers? Or, are they acting insincerely? That is, are they trading upon the notion of being epistemic peers in order to muddy the waters of medical research? Are the editors failing to do their due diligence because they have political views which trump their academic interests? Or do they simply not have the requisite background to do their job properly?

For the editors of the *Journal of American Physicians and Surgeons* to claim papers in their journal are the products of reasonable disagreement in the field of medical research would require that researchers publishing work elsewhere (their academic peers) agree with that assessment. Yet the work in the *Journal of American Physicians and Surgeons* is largely only cited within a subset of journals, journals which are similarly (and often overtly) slanted against the vast majority of work published elsewhere in the medical sciences. This calls into question the findings of the journal because it suggests that the journal exists to further a political, rather than scientific agenda. That is, the worry about the *Journal of American Physicians and Surgeons* is not just that it probably is just a platform for the dissemination of fake research/news, but it also exists to portray research to the contrary as examples of “That’s just fake news!”

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cides to stick with their position despite the wealth of arguments and evidence against it.



### III. BALANCED REPORTING

Let us look at another example, a journal of record which *purports* to combat fake news, but seemingly engages in promulgating it as well. In April of 2017 the *New York Times* hired Bret Stephens as a columnist. This was a controversial choice; Stephens is a noted anthropogenic climate change denier and earlier in the year the *New York Times* campaigned for new subscribers on the basis that they sought to combat fake news generally, and *specifically* accused those of pushing the denial of anthropogenic climate change as purveying *fake news*. Yet, when asked why they had hired Bret Stephens, the editors of the *New York Times* claimed, in their defence, that there are “millions of people who agree with him.” (Calderone and Baumann 2017)

The cynical will claim that this is an entirely economic decision: in order to increase the number of subscribers to the *New York Times* the editors and the managing board need writers who reflect the multiplicity of views found amongst its readers. In this respect the idea that the *New York Times* was going to fight the spread of fake news was itself most likely an economic decision, one designed to increase subscriber numbers. That is, the editors and the managing board of the *New York Times* were, if not insincere, indifferent about the threat of fake news, at least if we treat seriously their claim Bret Stephens was a worthy hire just because there are “millions of people who agree with him.”

This worry about the indifference, or insincerity of agents when it comes to activities the public take it have associated epistemic or ethical duties presents a challenge to how we conceive the public sphere. It suggests, as we will see, that what we might term the “public epistemology” which underlines much contemporary political debate is oddly formed. However, at least in defence of the *New York Times*, we can claim that as the *New York Times* is a journal of record, their employment of Bret Stephens – who defies their stated mission – might be the result of needing to engage in balanced reporting of controversial or contentious issues.

#### 1. False balance

One duty we typically place upon the media is that of presenting controversial issues in a balanced way. We expect – if a contentious issue is being discussed – that all sides will get to present their story. What is the motivation or source for this balance? It might be motivated purely by an appeal to freedom of expression, or the principle that all ideas should be appraised on their merits, rather than shutdown or kept out of public debate due to social niceties, or political agendas. That is, we expect reporting on controversial or contentious topics to be balanced, because – in the end – it serves the public good for all sides to be well-informed. In this respect, the purpose of balanced reporting aids in the task of making us epistemic peers with respect to the issue at hand.

Yet balanced reporting has become (if, indeed, it was not always) something of a problem. This is because the *appearance* of a controversy does not tell us something is controversial in an *interesting* or *salient* sense. Take, for example, Bret Stephens and his

denial of anthropogenic climate change. It is true that anthropogenic climate change is a controversial topic, but it is not controversial because the science behind such a claim is unsettled (and thus up to debate). Rather, it is controversial in some other sense: it either commits us to actions some of us would rather not engage in, or the science is in conflict with some ideology.

Claiming something is controversial does not tell us *in what way it is controversial*. A topic which is controversial politically might not be controversial scientifically. A topic which is controversial religiously might be considered uncontroversial in a sectarian setting. Yet, the kind of reporting we routinely see when it comes to anthropogenic climate change creates the impression that it is controversial in a scientific sense. The “balanced” reporting we see associated with it is not sociologists and psychologists debating what it is that causes a scientific thesis to be dismissed by some on political grounds. Rather, the balanced reporting often pits climatologists – who are arguing as to why the science says the climate is changing – against talking heads, *as if they are epistemic peers*.

This is “false balance,” where an issue is presented as controversial in a sense that it ultimately is not. Whilst scientists might disagree with some of the minutiae of just what anthropogenic climate change will entail, the science is settled as to the fact it is occurring. Yet by presenting the *political* controversy as a *scientific* one, the reporting on anthropogenic climate change creates a sense of *false* balance.

Balanced reporting can, of course, be difficult. After all, there are different kinds of reporting, which come with different epistemic burdens. There is – at least it seems – a salient difference between science reporting, and the “simple” reporting of, say, what happened at a town hall meeting. Determining who the experts or appropriate witnesses is trivial in the latter case, at least with respect to the former. Then there is the worry that concerns about balanced reporting rest on strong personal preferences: I am worried about anthropogenic climate change, so I am perturbed by how it gets reported, and thus see problems when it comes to balance. **You** might be similarly disturbed by reports of low level corruption that do not dismay me. None of this gets us away from the problem of appraising and judging expertise, but it does suggest the problem of balance has both a (purely) epistemic *and* a social aspect to it.

Whatever the case, *false* balance arguably allows fake news to flourish. By presenting issues which are controversial in one sense as being controversial in some other, we either let insincere agents present disinformation as news, or people who are indifferent to certain research methodologies or paradigms to present their views as being *en par* with those of others when it turns out they are not.

## 2. News vs. Opinions

Sometimes balanced reporting is defended as *merely* being a competition of opinions, in that the opinion of one expert is taken to be equivalent to that of another, whether or not it has been established whether said experts are epistemic peers.



Now, opinions, unlike facts, are taken to be personal and subjective. Indeed, a feature of contemporary public discourse (although surely a feature throughout human history) is the defence “That is just your opinion!” When someone says “That’s just your opinion!” they are typically claiming that no matter how factual your utterance is, they are entitled to some other belief because whatever you say, it is just an opinion. The idea behind “That’s just your opinion!” is that if everything is an opinion, then all opinions are equally warranted, or everyone is entitled to their opinions over those of others.<sup>6</sup>

The allegation that some piece of news is “fake news” could be seen as just another way of saying “That’s just your opinion!” However, in the case of alleging something is “fake news,” the implication is that the only correct opinion is that of the president, the minister, or the pontiff. That is, alleging something is fake news *and expecting it to have some weight* requires implying that whatever your opinion is, the opinion of the person in power is not just equal. No, rather it is the stronger claim that what you have been told is a lie. Not just that, but what you have been told has likely been fabricated for political, or commercial purposes. As such, you should give it no epistemic weight whatsoever.

#### IV. APPEALS BY AUTHORITY

Let us return to the Dodgy Dossier, and the *purported* weapons of mass destruction Iraq was alleged to be developing. In 2003 the governments of the U.S. and the U.K. claimed they had credible evidence that the Saddam Hussein regime in Iraq was developing weapons of mass destruction, despite U.N. weapons inspectors claiming otherwise. The media entered the debate, largely questioning the official narrative coming out of the White House and Downing Street, a view which subsequently became popular with the publics in the U.S., U.K., and most of the West in general.

The W. Bush and Blair governments continued to claim they had evidence that Iraq was developing weapons of mass destruction (WMDs), and that their detractors were wrong. The existence of this evidence – the public was told – justified the actions of the W. Bush and Blair governments, even in the absence of support by the international community. What was interesting about this evidence was that it was *secret*.

Now, it might be appropriate, in *some* cases, to keep certain evidence secret. We might want to protect sources, for example, or some of the evidence is simply not salient – perhaps even distracting – to the issue at hand. However, whenever some hypothesis or view is only said to be justified with respect to secret evidence, the worry is that the person or people keeping the secret are manipulating the evidence, or being insincere.

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[6] As Patrick Stokes has argued, talk of opinions and justifying said opinions can be a fruitful start to a discussion, but we are not automatically entitled to our opinions. Opinions need to be backed up with arguments, and reasons if we are to expect others to take them seriously (2012). As such, the antidote to “That’s just your opinion!” is to either say “It’s not my opinion,” or “Here’s why this opinion matters, however...”

For example, it has been argued that Rumsfeld and associates knew the confidential intelligence they received about the Iraqi WMD programme only weakly suggested that Iraq might still be producing weapons of mass destruction, but they treated these claims as having much more evidential weight than they deserved because it was politically convenient. When confronted about this, they called their opponents “conspiracy theorists” who were peddling “conspiracy theories,” characterising the rival views as belonging to some extreme, non-centrist position. The effect was the same as labelling these contrary views “fake news.” Admittedly, this rhetorical tactic by the governments of the U.S. and the U.K. largely failed, in part because the many of the very people they were accusing of now being conspiracy theorists had been portrayed as trusted political operators only weeks before. The official theory about the WMDs was revealed to be subservient to some political agenda and not upon an appeal to the evidence.

### 1. Influence

Worries about the Dodgy Dossier point to the motivating concern about claims of fake news here-and-now, which is how allegations of “That’s just fake news!” are abused by those in power. It is not unusual for politicians to accuse people, and to be accused themselves, of getting their “facts” wrong. “Fact,” as a term in political debate, often has a different meaning to that in epistemology; “facts” can be wrong, “facts” can be contested, and “facts” can change from situation to situation. Politically, “facts” are something between opinions and justified beliefs. That is, politically “facts” are *purported* facts. But what is most striking about much *fake news* is the sheer indifference many purveyors of such “news” have when it comes to presenting and defending such purported facts.

Take, for example, senior Trump aide Kellyanne Conway. When she was confronted about her defence of White House Press Secretary Sean Spicer’s obviously false claims about the crowds at the inauguration of President Trump,<sup>7</sup> she claimed Spicer was simply presenting “alternative facts” (Gajanan 2017). Later, she defended the first travel restriction executive order of the Trump presidency (AKA the “Muslim Ban”) with reference to a wholly fictitious Muslim terror attack, the “Bowling Green Massacre” (Blake 2017). In both cases Conway showed little concern that the information she was presenting or relying upon was false.

Were Conway and Spicer being stupid, or were they being insincere in their proclamations, in the hope someone would believe them?<sup>8</sup> If it was the latter, then therein lies the seductive nature of claiming some opposing report is “fake news;” if you can get away with using allegations of fake news in your discourse, then you can change the nature and direction of public debate. In both cases – the inauguration crowd size, and the

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[7] In that obvious photographic and eye-witness evidence was readily available to show Spicer’s claims to be “trumped” up.

[8] With respect to the Bowling Green case Conway’s numerous references to the entirely fictitious event indicates insincerity on her part.

“incident” at Bowling Green – Conway was alleging that the media was not presenting the *real* news: Trump *really* had record crowds at his inauguration despite what the media was telling the public, she was claiming, and the Muslim Ban was justified because of incidents like the Bowling Green Massacre that the media had refused to report on.

Was Kellyanne Conway a lone actor, presenting “alternative facts” in isolation? No. The newly-minted Trump presidency was simply continuing a policy of relying upon claims of “That’s just fake news!” and presenting “alternative facts” which had served them well during the presidential primaries, and then the presidential election campaign. That is to say, it was a long-standing policy within the Trump campaign team to present mainstream news coverage about the Trump campaign, and then presidency, as fake news.

Now, fake news and allegations of “That’s just fake news!” are not solely a problem of governance; fake news was part of the Brexit campaign, which was – at least ostensibly – non-partisan. Putative politicians outside the mainstream political parties made allegations of fake news part of their campaigns in the election in the Netherlands and France in 2017. Indeed, Trump used allegations of fake news well in advance of being president. So, even though the threat of fake news seems worst when it comes from people in power, the allegation some stories are fake news can emanate from non-governmental sources, and be potentially as dangerous. However, a spokesperson for government labelling some news as “fake,” in order to cast doubt on its veracity *sans* any good reason to do so, is an abrogation of the duty of care we expect of our elected representatives.

## V. THE PROBLEM OF FAKE NEWS

The allegation “That’s just fake news!” – as we have seen – is a problem because claims some piece of information in public discourse are fake often are made insincerely (the agent is lying), or are the result of indifference towards truth (the agent does not care whether the allegation is true or false). Now, labelling something as “fake news” does not necessarily mean people will regard it as false. However, alleging something is “fake news” is still a problem because it has become a rhetorical ploy, used mostly by those in power. That is, the claim “That’s just fake news!” exists to create the illusion of a controversy.

Some have blamed a culture of post-modernity for the phenomena of fake news (take, for example, historian Richard Evans (Evans 2017; Sandham 2017)). Whilst it is true that many of the proponents of allegations of fake news – at least in the White House – were schooled at a time where post-modernist approaches in education were popular, the idea a disdain for the facts is a relatively new phenomenon seems quaintly ahistorical; how would we explain earlier examples of the same phenomena, such as *The Illustrated Police News*? It does not help that many of the proponents of “fake news” seem utterly opposed to what they consider to be a “leftish” notion, that of post-modernist approaches.

A more promising angle on this phenomenon can be found in critiques of contemporary political liberalism. As Jack Z. Bratich has argued, a liberal philosophical

outlook can become a remarkably intolerant political position. Because liberalism focuses on normalising political discourse, and moving away from extremism, the sensible middle is where political agents should desire to be. As such, marginal voices (those on the extremes) are often chastised for not adhering to the politics of the centre, *even if the centre is failing to address the issue at stake* (Bratich 2008). That is, maybe the *contemporary* problem of allegations of fake news is its apparently sudden centrality to political debate?

Indeed, one of many disturbing consequences – at least to the liberal – to rhetoric such as “That’s just fake news!” is the way in which it shifts the centre of political debate. If positions which should be considered uncontroversial are presented as *merely* differences of opinion, or as insincere, or even falsehoods, then this licenses – at least to some – grounds for debate on topics which do not need it.

Another worrying consequence is that by alleging some media outlet purveys fake news this – either explicitly or inadvertently – lends itself to a narrative wherein outlets known for sensationalising, or even fabricating “news” stories (such as the Alex Jones’ sites *Infowars* and *Prison Planet*) are normalised, if not exalted as being *real* or *proper* news.

### 1. What to do about Fake News?

So, what can we do? The following suggestion as to how to curtail both the power of fake news and the allegation of “That’s just fake news!” is – at best – only a partial salve to an age-old problem.

Part of the problem of fake news might well be a product of what we might call the “Polite society.” In a polite society there are certain things which are not talked about. Some truths which might be considered toxic<sup>9</sup> should they be discussed openly are *politely* ignored or glossed over. For example, we might have all been aware that, in the 1970s, the police routinely planted evidence in order to secure convictions, but as those criminals were thought to be obviously guilty of *something*, we *politely* ignored the specific cases of evidence tampering. It would be impolite to talk about the matter, or think of raising it because the intentions of the police – keeping the streets safe – was a public good.<sup>10</sup>

Politeness is one reason why the claim “That’s just your opinion!” ends up having what appears to be *apparent* epistemic weight; we are often polite in the face of dissent, in order to not cause further dissent, or embarrassment.

The obvious objection to the Polite society hypothesis is to claim that this hypothesis is only true of some societies, and only true at certain times in those societies. I do not disagree; the existence of a polite society is likely the result of a variety of different cultural and political factors. Whilst I think much of the West, for example, currently exists in a state of politeness, how that politeness will be expressed will differ from place to place, have come into existence at different times, and might be – in some polities – less and less tenable.

9] The idea of truths which are toxic I borrow liberally from the work of Lee Basham (2017).

10] For further detail about the “Polite Society” hypothesis, see “Conspiracy theories on the basis of the evidence” (Dentith 2017).

Indeed, we are often told that political debate has no place for impoliteness. That is to say that emotions, or feelings are said to have no epistemic weight, or worth, and are just likely to cloud our judgement; they are not part of our *public* epistemology. Now, some might be tempted to argue either there are norms which license this. However, civic discourse does not exist in a vacuum; it echoes and often reinforces pre-existing structures and hierarchies. An awful lot of challenging political speech – talk of institutional sexism, racism, misogyny – is confronting, and there is a tendency to downplay such talk, or excuse oneself from the analysis. A consequence of this is for people adversely affected by these structural pieces of discrimination to get angry, or upset.<sup>11</sup> The standard of debate we find which has allowed allegations of fake news to flourish, I would argue, has come out of requirement that we be dispassionate and polite in our discussions. This allows for accusations of “That’s just fake news!” – to proliferate. This situation should give us reason to pause for thought. Depending on what you think the relationship between epistemology and ethics is, the idea that rational debate should be conducted, or based outside of ethical norms (whatever they might be), is startling. After all, if you think epistemology is the study of what we *ought* to believe, then it is curious that it should be considered divorced from ethics, which considers how we *ought* to behave.<sup>12</sup>

After all, it is easy to be dispassionate about events which do not directly affect you, or you are largely indifferent to. That is to say, much political debate seems to assume that we are discussing opinions. As such, when someone claims “That’s just fake news!” our initial response is often to laugh about it, because that is the polite thing to do. Would the problem of fake news dissipate if we were more impolite when it came to public discourse? Probably not. However, if we were more impolite – which is to say we challenged the politeness which infects much public debate – it would make it harder for certain sorts of allegations of fake news to hold sway.

## VI. CONCLUSIONS

Allegations that some view or position is an example of fake news need to be taken seriously. This is because such allegations typically exist to marginalise or delegitimise views, in a way in which we are meant to think that the expressions of the powerful are at least equal to, or better than, the news (at least as we typically understand it).

It is tempting to appropriate blame for the existence, and power of claims of “That’s just fake news!” on a variety of sources, whether that be post-modernists, false balance in the media, and the like. However, the spectre of fake news – no matter its history – is worrying simply because it speaks to a certain indifference or insincerity amongst agents

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[11] This is to say nothing about explicit cases of sexism, racism, or misogyny.

[12] Indeed, for some of us, epistemology might be seen as either a branch of ethics, or complementary to it.

in contemporary political debate. How might we challenge such allegations? Well, one potential solution – although it is likely only a partial salve – is to change the terms of the debate by challenging the polite way in which we discuss issues pertinent to our polities.

After all, alleging something is fake news is an abrogation of the duty of care we expect of people in power; by being either indifferent or insincere in their utterances, such influential people or institutions fail to uphold an *expected* duty. Rather than present such discussions as a war of opinions, and claim that – as they are opinions – you have no right to be upset about them, let alone dispute them, we need to include more room for impoliteness when confronting issues in our contemporary public discourse.

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